

## REMARKS

Claims 1-34 are pending prior to entering this amendment. The examiner objects to claims 1-34 for a variety of informalities. The examiner rejects claim 2 under §112, ¶2, as being indefinite. The examiner rejects claims 1-8, 14-26 and 31 under 35 U.S.C. 102(e) over Ginter (U.S. Patent No. 5,892,900). The examiner rejects claim 19 under 35 U.S.C. 103(a) over Ginter. Applicant amends claims 1, 9, 14-17, 20, 26, 28-31, and 33, and cancel claims 2, 27, and 32. Claims 1, 3-26, 28-31, and 33-34 remain in the application after entering this amendment. Applicant adds no new subject matter and requests reconsideration.

### Allowable subject-Matter

The examiner objects to claims 9-13, 27-30, and 32-34 as being dependent upon a rejected base claim, but would be allowable if rewritten into independent form including all of the limitations of the base claim and any intervening claims. Applicant elects to rewrite claims 9, 27, and 32 into independent form, which places claims 9-13, 26, 28-30, 31, and 33-34 in condition for allowance.

### Claim Objections

Applicant amends claims 1 and 31, which obviates the examiner's objections.

### Claim Rejections – 35 USC § 112

Applicant cancels claim 2, which obviates the examiner's rejections.

### Claim Rejections – 35 USC § 102 and §103

The examiner rejects claims 1-8, 14-26 and 31 under 35 U.S.C. 102(e) over Ginter. The examiner rejects claim 19 under 35 U.S.C. 103(a) over Ginter. Applicant respectfully traverses the examiner's rejections.

Applicant amends claims 1 and 20 to include similar features that the examiner found allowable in claims 9, 27, and 32. For instance, claim 1 recites *populating the software distribution system with data associated with the downloadable software including at least product release information corresponding to the downloadable software or packaging*

*information that maps the downloadable software to a displayable image corresponding to the downloadable software,*

*receiving requisite supervisory authorization to proceed with a publication of the downloadable software, where the requisite supervisory authorization indicates a manager of the software distribution system, other than the registered user, approved the publication of the downloadable software, and*

*publishing the downloadable software to the software distribution system according to the data populated in the software distribution system, the publishing performed responsive to receiving the requisite supervisory authorization to proceed with the publication.* Claim 20 recites similar features.

The examiner and applicant appear to be in substantial agreement that the features added to claims 1 and 20 are not taught or suggested by Ginter or other prior art of record.

The examiner alleges Ginter's virtual distribution environment (VDE) 100 discloses the recited software distribution system. Ginter, however, does not teach or suggest populating the VDE 100 with product release information corresponding to the downloadable software or packaging information that maps the downloadable software to a displayable image corresponding to the downloadable software as the claims require. See, Ginter, col. 284, line 55 – col. 287, line 45, where there is no disclosure of either product release information or packaging information being populated in the VDE 100, nor of the VDE 100 publishing its objects according to the populated information. Since Ginter does not populate the VDE 100 with the recited product release information or the recited packaging information that maps a displayable image to the downloadable software, Ginter does not anticipate claims 1 and 20, or their corresponding dependent claims.

Furthermore, there is no disclosure in Ginter of a provider or user needing to receive supervisory authorization to publish content to the VDE 100, much less authorization from a manager of the VDE 100 (where the manager is not the user that published or modified the content or populated the VDE 100 with data corresponding to content). See, Ginter, col. 286, lines 7-48, where Ginter's users alter object content without supervisory authorization from the recited manager (other than the registered user). Since, Ginter's users are free to modify object content independent of supervisory authorization, Ginter does not anticipate claims 1 and 20, or their corresponding dependent claims.

## **CONCLUSION**

For the foregoing reasons, reconsideration and allowance of all claims of the application as amended is requested. The Examiner is encouraged to telephone the undersigned at (503) 224-2140 if it appears that an interview would be helpful in advancing the case.

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